

Boone County Board Of Zoning Appeals
February 27, 2013 – 7:00p.m.
Lamar Meeting Room- Boone County Government Building

Members attending: Sharon Walker, Alan Wilhoite, June Nickels, Terry Brandenburg and Clinton Taylor

Staff attending: Rachel Cardis, Bob Clutter and Carla Hedrick

A. Administrative Matters

1. June Nickels opened the meeting at 7:00 p.m. by leading the pledge of allegiance and followed by introductions.
2. Determination of Quorum: 5 of 5 members present
3. Approval of minutes for January 23, 2013: Terry Brandenburg made a motion to approve the minutes for the January 23, 2013 meeting as presented. Motion was seconded by Sharon Walker. Motion carried 5-0.
4. Approval of Agenda: No changes to agenda. Terry Brandenburg made a motion to approve the agenda. Motion seconded by Clinton Taylor. Motion carried 5-0.

B. Old Business Public Hearings

None at this time

C. New Business Public Hearings

June Nickels explained the meeting process

1. 12SC-7M-107 Ed & Eva J Shelley; Thorn Creek Minor Plat; Special Exception with Minor Plat

Rachel Cardis read the staff report.

Ron Wharry came forward to present the petition. He stated that lot 2 has a home on it currently and that the Shelley's would like to build a home on lot 1 and the other lots will be for family members. Bob Clutter asked for clarification on the shared driveway and if it would be a recorded easement for lots 2 & 3. Ron Wharry stated that the drive is currently on lot 2 and it will be a recorded easement for lot 3 to use the driveway.

Ed Shelley came forward to comment they are just trying to help out the grandkids. No one else came forward. June Nickels then closed the public hearing and opened it to the board. Clinton Taylor made a motion to approve 12SC-7M-107 with the following conditions: 1) the applicant shall sign a Right to Farm Agreement; 2) the applicant shall sign a County Drainage Agreement; 3) All lots receive final TAC approval prior to IKP issuance; 4) the applicant shall receive final approval of revised soil borings by the Boone County Health Department prior to the APC public hearing for final minor plat approval; 5) the applicant shall provide a formalized drainage plan which is approved by the Boone County Surveyor's Office prior to the public hearing for APC final minor plat approval; 6) No further subdivision of any lot can occur without formal application for zoning map amendment in the APC office; and 7) the plat shows the 40' Ag buffer. Sharon Walker seconded the motion. Motion carried 5-0.

2. 13WO-14-005 Barbara Phillips; Variance from AG buffer

Rachel Cardis read the staff report and stated field verification would be needed for the septic field and she explained the hardship being the property itself.

Barbara Phillips came forward to present the request. She explained the property layout and that there is nowhere else to place the garage. She also said the garage would be 14' tall and it is not taller than the home. No one else came forward as there were no other people in attendance. June closed the public hearing and opened it to the board.

June Nickels made a motion to approve the variance for 13WO-14-005. The motion was seconded by Terry Brandenburg. Motion carried 5-0.

D. Reports, Resolutions, Communications & General Discussion

Clinton and June both commented that they would not be at the March meeting. This means that the other three (3) members must be there and any vote must be unanimous or the item is automatically continued to the next meeting.

With no further business, Clinton Taylor made a motion to adjourn at 7:25 p.m. Alan Wilhoite seconded the motion. Motion carried 5-0.